

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

---

<b>JOHN HARGRAVE</b>	:	<b>CIVIL ACTION</b>
<b>Plaintiff,</b>	:	
	:	<b>No. 15-201</b>
<b>v.</b>	:	
	:	
<b>CHARLES RAMSEY and</b>	:	
<b>THE CITY OF PHILADELPHIA</b>	:	
<b>Defendants.</b>	:	

---

**ORDER**

This 20th day of May, 2015, upon consideration of Defendant's Motion to Dismiss and Plaintiff's Response, it is **ORDERED** as follows:

1. Count II of Plaintiff's Complaint, alleging First Amendment Retaliation, is **DISMISSED WITHOUT PREJUDICE**;
2. Count III of Plaintiff's Complaint, alleging *Monell* liability, is **NOT DISMISSED**; and
3. Count IV of Plaintiff's Complaint, alleging race discrimination in violation of the Pennsylvania State Constitution, is **DISMISSED WITH PREJUDICE**.

/s/ Gerald Austin McHugh  
United States District Court Judge